

House Resolution 95

By: Representatives Bordeaux of the 162nd and Sims of the 169th

A RESOLUTION

- 1 Compensating Mr. Samuel H. Scott; and for other purposes.
- 2 WHEREAS, on the morning of February 1, 1986, a woman named Donna Givens in
3 Savannah, Georgia, was kidnapped, raped, and robbed by three unknown assailants; and
- 4 WHEREAS, Mr. Samuel Scott was then happily married with children working as a
5 Longshoreman, earning decent and honest pay, in Savannah, Georgia; and
- 6 WHEREAS, on June 11, 1986, Mr. Samuel Scott was indicted by the Grand Jury of Chatham
7 County for the rape, robbery, and kidnapping of Donna Givens; and
- 8 WHEREAS, Mr. Scott was arrested in November of 1986 and served time in Chatham
9 County Jail until a trial was scheduled before a jury in the Superior Court of Chatham
10 County; and
- 11 WHEREAS, on March 26, 1987, Mr. Scott was tried and convicted of rape and kidnapping
12 in Chatham County, Georgia; and
- 13 WHEREAS, at his trial Mr. Scott testified that he was not guilty of the kidnapping and rape
14 of the woman in Savannah, Georgia, and two witnesses corroborated Mr. Scott's testimony;
15 and
- 16 WHEREAS, on March 26, 1987, the court sentenced Mr. Scott to life in prison for rape plus
17 20 years for kidnapping, the sentences to run concurrently; and
- 18 WHEREAS, on February 4, 1988, the Court of Appeals affirmed Mr. Scott's convictions
19 and, on February 19, 1988, denied a motion for a rehearing; and

1 WHEREAS, in July of 2001, DNA testing conducted on behalf of Mr. Scott at Forensic
2 Science Associates in California conclusively proved that Mr. Scott's DNA did not match
3 the DNA from the semen obtained from the victim's rape kit; and

4 WHEREAS, on July 19, 2001, the scientific evidence was presented to the District
5 Attorney's Office of Chatham County, and, after further testing by the Georgia State Crime
6 Lab, the state consented to Mr. Scott's extraordinary motion for a new trial on June 3, 2002;
7 and

8 WHEREAS, on October 7, 2002, the indictments against Mr. Scott for rape and kidnapping
9 were finally dismissed; and

10 WHEREAS, Mr. Scott was imprisoned for 14 years and five months at the Jack T. Rutledge
11 State Prison before being transferred to D. Ray James Correctional Facility where he was
12 eventually released on parole; and

13 WHEREAS, Mr. Scott was required to wear an electronic ankle monitor and he experienced
14 severe financial difficulties making the required payments for the monitor due to being a
15 convicted sex offender, and was ordered to spend additional time in prison for his failure to
16 pay for the electronic ankle monitor; and

17 WHEREAS, Mr. Scott has suffered loss of liberty, personal injury, injury to reputation,
18 emotional distress, and other damages as a result of approximately 16 years of incarceration
19 and expenses totaling \$1.2 million; and

20 WHEREAS, because the conviction, incarceration, and subsequent loss of liberty and other
21 damages occurred through no fault or negligence on the part of Mr. Scott, it is only fitting
22 and proper that he be compensated for his extraordinary loss.

23 NOW THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA
24 that the Department of Corrections is authorized and directed to pay the sum of \$1.2 million
25 to Mr. Samuel Scott, as compensation as provided above. Said sum shall be paid from funds
26 appropriated to or available to said Department of Corrections and shall be in full and
27 complete satisfaction of all claims against the state arising out of said occurrence.